



<b>Somerville Police Department</b> 	<b>TYPE:</b> <b>GENERAL ORDER</b>		<b>POLICY NUMBER:</b> <b>102</b>		
	<b>Subject:</b> <b>License Plate Reader (LPR) Companion Policy</b>				
	<b>Issuing Authority:</b> <b>David Fallon</b> <b>Chief of Police</b>		<b>Signature:</b>  <b>Number of Pages:</b> <b>Page 1 of 4</b>	<b>Effective Date:</b> <b>April 29, 2015</b>	
<b>Accreditation Standards (5<sup>th</sup> Edition)</b>			<input type="checkbox"/> New <input checked="" type="checkbox"/> Revised <input type="checkbox"/> Amended		
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## Purpose

To establish guidelines and best practices for data use, maintenance, training, and data storage associated with the usage of the Commonwealth Criminal Justice Information Automatic License Plate Recognition Systems Central Repository (Central Repository) by Massachusetts law enforcement agencies.

## Policy

It is the policy of the DCJIS to use the technology only in furtherance of official and legitimate law enforcement operations and public safety. Recognizing privacy implications, it is further the policy of DCJIS to ensure the protection of data. Thus, all users of the Central Repository are expected to abide by the guidelines set forth herein when using the Central Repository.

## Definitions

Agency LPR Administrator – An employee of a participating agency designated by that agency to be responsible for the management of its authorized users and the user accounts at the participating agency.

Authorized User – An individual designated by a law enforcement agency and properly trained in the use and operational protocols of the LPR. Only authorized employees who have an approved login and password will be allowed to access or use information in the Central Repository.

Central Repository – A centralized data warehouse that stores LPR information contributed by law enforcement and public safety agencies from the agency's database.

Contributing Agency – An agency that contributes LPR data to the Central Repository.

DCJIS – The Department of Criminal Justice Information Services is the state’s agency in charge of all data in the state’s Criminal Justice Information System.

Non-Contributing Agency – An agency that may access, but does not contribute data to, a data application or system maintained or operated within the DCJIS network or system.

Participating Agency – Either a contributing or non-contributing party that uses the Central Repository.

Source Agency – The agency that originally recorded and contributed data to a data application or system maintained or operated within the DCJIS network or system.

## **Procedures**

### **1. Standards of Use**

- A.** Central Repository LPR data shall be accessed and used only for official and legitimate law enforcement operations and public safety and may only be used based on specific and articulable facts of a concern for safety, wrongdoing, criminal investigations, department-related civil investigations, or pursuant to a court order.
- B.** Searches of historical Central Repository LPR data shall be done in accordance with this policy.
- C.** Only users who have been designated by the department and properly trained in the use and operational protocols of the LPR systems shall be permitted to use the Central Repository. DCJIS administrators shall ensure that any changes in hardware, software or law are communicated to all participants. Only authorized employees who have an approved login and password (Central Repository Authorized Users) will be allowed to access or use information in the Central Repository.
- D.** When an enforcement action, investigation, or prosecution results from the Repository LPR data, the information contained in it will be preserved.
- E.** Requests for searches of Central Repository LPR data may be made by authorized members of the Contributing Party or Non-Contributing party subject to the provisions of this policy.

### **2. Login Application Process**

- A.** Each Contributing and Non-contributing Party shall designate an Agency LPR administrator to be responsible for management of user accounts at that agency. All authorized users shall be limited to current employees who are legally authorized to review criminal justice information for crime prevention and detection purposes. Each potential user shall submit a request for a login and password to the Agency LPR Administrator. The Agency LPR Administrator shall have discretion to deny or revoke individual access.

### **3. Login Assignment**

- A.** Each Authorized User will be issued a user login and a default password by the Agency LPR Administrator. Upon logging into the Repository for the first time, each Authorized User shall change the default password to another DCJIS-compliant password.
- B.** Each Agency LPR Administrator is responsible for the timely removal of any login accounts as Authorized Users leave their agency.
- C.** An Authorized User shall not access the Central Repository by using a name and password that was assigned to another user. An Authorized User shall not give his/her password to another person, including another user, to access the system.

### **4. LPR Central Repository Data Query Logs**

- A.** An automated log will be maintained for each transaction, which will include the name of the individual accessing the data, along with the date and time of access.
- B.** Requests to review stored LPR data and search results will be recorded and maintained in appropriate case files.
- C.** LPR Data Query Logs shall be maintained and secured.
- D.** Audits of the LPR systems and the central repository shall be conducted by the DCJIS.

### **5. LPR Data Sharing and Dissemination**

- A.** Each Contributing Agency authorizes the release of its information as outlined in this Policy to any other criminal justice agency that may participate in the Central Repository in the future.
- B.** A Contributing Party that does not want certain information from its LPR system to be shared is responsible for filtering out such information before entering it into the Central Repository.
- C.** The information contributed to the Central Repository is limited to LPR data.
- D.** Central Repository LPR data can be accessed, retrieved, or shared for official and legitimate law enforcement operations or public safety purposes only.

### **6. Ownership of Data**

- A.** Each Contributing Party will retain sole responsibility, ownership, management control, and disposition over the information it contributes or allows access to. All system entries will be identifiable to the Contributing Party, and the content of the contributed information remains the sole responsibility of the Contributing Party and is under that Contributing Party's management control.

- B. It shall be the responsibility of the party requesting or using the data to confirm the accuracy of the information with the Source Agency before taking any enforcement-related action.

## **7. Retention of Data**

- A. Data from field LPRs will be transferred/uploaded to the department's server at a time to be determined by the Agency LPR Administrator.
- B. LPR data shall be stored in the Central Repository for a period of thirty (30) days except in the following circumstances:
  - 1. Alert data associated with an enforcement action, investigation, or prosecution shall be maintained for one (1) year or until a final disposition has been reached in the particular case, whichever is longer.
  - 2. Alert data associated with an arrest will be maintained in the criminal case file and retained for the maximum period of time associated with such record.
  - 3. Alert data associated with criminal investigations will be maintained in the criminal case file and retained for the maximum period associated with such record.
  - 4. If it is reasonable to believe that the LPR data will become evidence in a criminal or civil action, the record will be maintained until it is no longer reasonable to believe it will become evidence in a criminal or civil action.
  - 5. Whenever otherwise directed by the LPR Administrator.

## **8. Confidentiality of Information**

- A. Information in the Central Repository is confidential and is not subject to public disclosure, except as required by law. Only Authorized Users are allowed to view and use the information, otherwise, the information shall be kept confidential.

## **9. Acknowledgement of Terms and Conditions of Use**

- A. The Agency LPR Administrator shall provide a copy of the terms and conditions of the Massachusetts Public Safety Information Sharing Global Policy and this LPR Central Repository Companion System Policy to all Authorized Users when they are issued a login ID for the system. Each Authorized User shall sign an acknowledgement stating, "I have received a copy of the terms and conditions of usage of the Central Repository. I agree to comply with the terms and conditions and I understand that any violation of the terms and conditions may lead to disciplinary action and/or criminal prosecution." The Agency LPR Administrator shall maintain the signed acknowledgements at all times.